CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

AUGUST 17, 2010

INVOCATION:
Assistant City Manager Haydon gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Fire Chief Jones, Director of Public Works/City Engineer Whitehead, Community Programs Manager Coelho-Hudson, Director of Utilities Sweet, Police Chief Macagni, Director of Community Development Appel, Director of Recreation and Parks Posada, Senior Code Compliance Officer Moreno, and Chief Deputy City Clerk Perez.

RESOLUTION FOR JACK BUCHANAN
Mayor Lavagnino read Resolution No. 2010-94 honoring and commending Jack Buchanan, City Librarian, for 25 years of outstanding service to the City and congratulating him on his re-retirement.

Resolution No. 2010-94 was adopted on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2010-94 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING CITY LIBRARIAN JACK BUCHANAN FOR HIS 25 YEARS OF OUTSTANDING SERVICE AND CONGRATULATING HIM ON HIS RE-RETIREMENT.

Jack Buchanan thanked the Mayor and Council and the City of Santa Maria. He said when he first became the City Librarian in 1980, one of his first official acts was to attend the grand opening of the new Santa Barbara Public Library. He remembered wondering at that dedication if he would ever get to build a new library. When he retired in 2002, he thought the answer was no. City Manager Ness was good enough to let him come back in 2008 to finish the new library and take it forward. The new library is all he hoped it would be and more. Its potential for the future is unlimited. He would not have come back if he hadn't known that he was going to be working with such a professional team of people. Despite what the Council has to listen to during Public Comment, Santa Maria was the best run, most efficient, and most professional City in the United States.

City Manager Ness stated that in 2002, the City Council did this same thing. This is the second time Jack Buchanan has retired from the City. Jack came out of retirement at my request in 2008 and worked very hard to complete the construction of the new library which occurred in August 2008. Then he stayed on two more years to make sure everything was working well. He was really living a dream. It was Jack who dreamed of

being able to open a new library in Santa Maria, and Jack who worked so hard and tirelessly to position the City to receive the $16 million grant from the State. He helped write the grant application and personally drove it to Sacramento to make sure it got there on time. Jack has done an outstanding job for the City. He thanked him and wished him the best for a long, happy, prosperous, and healthy future.

Mayor Lavagnino thanked Jack Buchanan as well. He said he had some real qualms when staff first started talking about $23 million for a new library. It ended up costing $32 million. It is the jewel of the downtown. He heard people all the time saying they couldn't believe a city the size of Santa Maria could have a library as beautiful and with as many resources as this library has. Fortunately, it is paid for. Jack made some great choices. The City will live with his legacy for many, many years.

VOLUNTEER OF THE MONTH

Councilmember Zacarías presented a gift to Warren Gabaree, DDS, the Recreation and Parks Volunteer of the Month for August, for his commitment to helping others as a leader in the Community Watch 2010 project.

PUBLIC COMMENT

Robert Ziener spoke about building a very productive factory at no cost to the City. This factory would be a think tank. He said he knew it worked. He distributed a copy of an article from Time Magazine. A productive idea factory could move Santa Maria into a great future.

Michael Geddry, Santa Maria Museum of Flight, spoke about the July 27th event at the Santa Maria Public Airport when 80 Marines flew into the Airport. He thanked the Council and the City of Santa Maria for coming out to support them and said it was a fantastic day.

Barbara Gregory stated she was grateful to the City Council for starting every meeting with a prayer and flag salute. She thanked the City for using E-Verify for City employees. She also talked about the contractors working for the City at the Transit Center who were hiring illegal workers. She asked the Council to require E-Verify for City contractors. She referenced other Municipal Code sections that she felt were not being enforced such as bicycle vendors, big rigs parked on residential streets, cars in driveways and front yards, travel trailers with extension cords running from them, and garbage stacked on sides of houses.

City Manager Ness stated Director of Public Works/City Engineer Whitehead contacted Vernon Edwards Construction Company, the general contractor for the Intermodal Transit Center. There are 26 subcontractors working at the Transit Center, and 16 of them responded to an inquiry made by Mr. Edwards. Of those 16, 3 participate in the E-Verify program, 5 required I-9 forms, 11 required 2 forms of identification, and 2 are owner-operators with no employees. City staff was satisfied with the response the contractor provided to the City.

Richard Dydell talked about E-Verify and said he spent a long time researching it. At one time it was inaccurate, but it was now almost 100 percent accurate. He said he knew there were workers working on the City's landscape maintenance contract that were illegal immigrants. He asked the Council to take a hard look at the H2-A Ag Worker Program and consider adopting a resolution supporting it.

Ernest Armenta stated a lot of working class residents in the City do not have health insurance. He displayed a list of the City Council salaries and benefits and talked about the two Councilmembers who received health insurance cash outs. He said he did not have a problem with the amount the City Council was paid, but he had a problem with the health insurance cash out and car allowance. He recommended the City lease hybrid vehicles for the Councilmembers and not give them a car allowance.

Paula James stated there were dozens and dozens of cities across America that have now implemented the E-Verify program. She talked about an automobile accident she had in the Wal-Mart parking lot where an illegal immigrant without a drivers license backed into her.

CONSENT CALENDAR
Consent Calendar Items 3A through 3H were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of August 3, 2010, were approved as submitted.

C. WARRANTS
Warrant Nos. 160610 to 160873 totaling $1,080,018.33 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 160209 was cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. AWARD OF BID
Resolution No. 2010-95 was adopted awarding the bid and approving an agreement with Carroll Development, Inc., for the Mussell Senior Center ADA Improvements Project, Bid No. 2010/12, in the amount of $129,000.

Resolution No. 2010-95 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH CARROLL DEVELOPMENT, INC., FOR MUSSELL SENIOR CENTER ADA IMPROVEMENTS PROJECT, BID NO. 2010/12.

F. CLOSEOUT OF INTERCHANGE PROJECTS
Resolution No. 2010-96 was adopted authorizing the Mayor to execute three grant deeds and a quitclaim deed to the State of California (Caltrans), and one grant deed of easement to Padj Oelsner Properties for the closeout of the interchange projects at State Route 101/Donovan Road and State Route 101/Stowell Road.

Resolution No. 2010-96 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE GRANT DEEDS AND A QUITCLAIM DEED TO THE STATE OF CALIFORNIA (CALTRANS), AND PADJ OELSNER PROPERTIES FOR THE CLOSEOUT OF THE INTERCHANGE PROJECTS AT STATE ROUTE 101/DONOVAN ROAD AND STATE ROUTE 101/STOWELL ROAD.

G. PASSENGER LOADING ZONE
Resolution No. 2010-97 was adopted establishing a passenger loading zone on Bethel Lane at El Medio Road for Liberty Elementary School.

Resolution No. 2010-97 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A PASSENGER LOADING ZONE ON BETHEL LANE PURSUANT TO SECTION 7-5.05 OF THE SANTA MARIA MUNICIPAL CODE.

H. USED OIL PAYMENT PROGRAM
Revised Resolution No. 2010-98 was adopted authorizing multi-year applications for used oil payment program funds to include corrections requested by CalRecycle's Financial Assistance Division.

Resolution No. 2010-98 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING MULTI-YEAR APPLICATIONS FOR USED OIL PAYMENT PROGRAM FUNDS.

APPOINTMENTS TO BLOCK GRANTS ADVISORY COMMITTEE.
Chief Deputy City Clerk Perez gave the staff report. The City Council is requested to make two appointments to the Block Grants Advisory Committee. Three appointments were made at the July 20, 2010, City Council meeting. Councilmember Patino and Mayor Lavagnino requested their appointments be continued to this meeting and the filing deadline be extended. The City Clerk's Office readvertised the vacancies for the two remaining seats and posted the notice as required by law with a new filing deadline of August 4, 2010. Two applications remained from the first filing period and two additional applications were received during the extended filing period. The applicants are: Donna Beal, Richard Hall, August (Bud) Narachi, and Tim Seifert. Nominations will be made by Councilmember Patino and Mayor Lavagnino.

Mayor Lavagnino announced that he had appointed Mr. Narachi to the Air Pollution Control Board Advisory Committee. Mr. Hall was currently on the Landmark Committee.

Councilmember Zacarías asked if there was any policy about serving on more than one committee. Mayor Lavagnino replied that there was not.

Mayor Lavagnino nominated Tim Seifert.

On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried unanimously, Tim Seifert was appointed to serve on the Block Grants Advisory Committee.

Councilmember Patino nominated Richard Hall.

On motion by Councilmember Patino, seconded by Councilmember Zacarías, and carried unanimously, Richard Hall was appointed to serve on the Block Grants Advisory Committee.

PRESENTATION OF THE SANTA MARIA VALLEY CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT COMMISSION YEAR-END REPORT FOR THE PERIOD JULY 1, 2009, THROUGH JUNE 30, 2010.
Robert Hatch, Chairperson of the Economic Development Commission, gave the report. During the past several years, the Economic Development Commission (EDC) has faced some difficult economic challenges but has remained focused and optimistic. The EDC's efforts are making a difference by providing information, resources and assistance to existing businesses. At the same time, the EDC is aggressively promoting Santa Maria and positioning itself for success with new prospects. The EDC is continuing outreach efforts and taking full advantage of the resources of the Chamber of Commerce to accomplish goals and objectives. This includes retention efforts and keeping existing businesses involved and engaged. In conjunction with the Visitor and Convention Bureau, marketing advertisements appeared in *Expansion Management Magazine, Pacific Coast Business Times, Skywest Magazine,* and *California Local Economic Development Directory.* During the past six months, the EDC has worked with local business and industry leaders to promote a revitalization of the Manufacturers Association. Factory tours have been combined with informative presentations. The EDC publishes a monthly newsletter that is distributed electronically and contains important news, information, studies, and events that concern existing businesses as well as those looking at Santa Maria for future relocation and expansion. The EDC also has an interactive magazine which has become a very successful prospecting tool. The Commission has followed up on numerous requests for information and assistance from businesses. The EDC and Chamber of Commerce remain engaged with local

businesses to assure them that both operate on their behalf. The EDC continues its support of the Santa Maria Airport District. Additionally, the Commission has begun outreach to the community and businesses through presentations to local groups and organizations regarding EDC's activities.

Councilmember Zacarías asked what the difference was between site location assistance and formal requests.

Mr. Hatch replied site location assistance might include someone who was interested in starting a business, relocating a business or expanding. They would help them explore the appropriate zoning or suggest a site the person may not have found. They don't do that too much because of the great group of commercial brokers that really help with that. A formal request was probably something that came from a commercial broker in another area that has a client that is looking at Santa Maria. They have already done an extensive amount of work on their own. With a formal request, the EDC can actively start representing them.

Councilmember Zacarías thanked Mr. Hatch for submitting their budget and being able to get the work done with minimal funding. She asked for a report that shows their actual expenditures. It would allow the public to see how their tax dollars were being used to invest in economic development.

Mr. Hatch replied that they already did that but at a different time after their formal audit. That information was requested frequently by citizens. He was happy to sit down and go over their finances with anyone.

Councilmember Patino asked about Prospects and Permits on page 6 and what they meant. She asked if potential businesses went to them instead of to the Community Development Department.

Mr. Hatch explained sometimes they did. Some businesses have a different version of what they would like to have happen from Community Development. The EDC can help speed up the response from the City occasionally. It didn't happen a lot, usually with commercial brokers. Sometimes the problems with the City were perceived and not real.

Mayor Lavagnino stated occasionally he also got involved in resolving disputes. It was usually the contractors who were working for businesses that were causing the problems, but the City was an easy target to blame.

Councilmember Orach stated he has participated in the Manufacturers' Association and had heard complaints about the City processes. The Community Development Department really tried to help businesses. He said the economic situation was global, not just in Santa Maria. Businesses were trying to maintain the status quo and retain their employees. They were working harder, working longer hours, and making less money. Everybody was trying to weather the storm.

The City Council thanked Mr. Hatch and received and filed the report.

PRESENTATION OF THE SANTA MARIA VALLEY CHAMBER OF COMMERCE AND VISITOR AND CONVENTION BUREAU YEAR-END REPORT FOR THE PERIOD OF JULY 1, 2009, THROUGH JUNE 30, 2010.

Gina Keough, Visitor and Convention Bureau (VCB) Manager, gave the Mid-Year Report. During the 2009-10 fiscal year, transient occupancy tax totaled $2,116,309.99. During the 2009-10 fiscal year, outreach took many forms as the VCB worked to establish its presence at California Welcome Centers, inspire visitors through print and online advertising, gain business at tradeshows, and increase overnight stays through the non-paid promotion of special events in the City. Santa Maria Style Barbecue continues to be a hot item, garnering continuous press in the media and inspiring many online searches. Working with regional marketing organizations has been hugely beneficial, especially the Central Coast Tourism Council. The VCB unveiled the expanded version of its popular Santa Maria Style Barbecue souvenir booklet in late December. Additionally, the Bureau significantly expanded its wine touring literature. The Bureau renewed its contract with Mooncatcher Communications to handle media

relations and marketing support for 2009-10. Bureau staff attended several trade shows during the year including the Bakersfield Business and Technology Expo and Sales Blitz, California Society of Association Executives Seasonal Spectacular, The World Ag Expo, and the Los Angeles Times Travel & Adventure Show. Feature stories about the Santa Maria Valley appeared in *American Cowboy Magazine*, *What's New in California*, and *Weinwelt: Highway 1*. Finally, during the 2009-10 fiscal year, 17 Santa Maria-based event planners received grant monies as sponsorship toward marketing their events to overnight visitors.

Councilmember Zacarías asked Ms. Keough to provide financial information for the benefit of the public to show that the tax dollars are generated by the activities the Chamber engages in.

The City Council thanked Ms. Keough and received and filed the report.

SANTA MARIA SIGN ORDINANCE (SECTION 12-34).
Director of Community Development Appel gave the report. Several issues have been raised recently concerning the sign ordinance. He highlighted several portions of the Sign Ordinance that staff felt needed to be amended, including revising the method of calculating sign area, considering monument sign area independent of wall sign area, allowing double post signs, freeway sign regulations, resolving conflict between master sign plans and multi-tenant sign plans, and clarifying provisions in the non-conforming sign section of the ordinance. He explained that staff would bring forward revised text to address these areas at a later date and was not asking for direction from the Council on those issues at this time.

Director Appel reviewed the objectives of the Sign Ordinance. Staff has prepared a report to provide the Council with background on three types of signs: temporary, sandwich board, and bow/feather. Temporary signs provide an opportunity to display relatively inexpensive signs and banners for a short period of time within the City. Examples are grand opening signs and political signs. These signs require a no-fee permit, are limited to 30 days per calendar quarter, and have specific size requirements. Temporary signs are currently not permitted on vacant land; however, several vacant parcels have been prime locations for political signs over the years. The 30-day time limit has worked for banners and other signs that are advertising a short-term event or sale. However, it appears to hinder the use of political signs, especially during the June Primary Election.

Sandwich board signs or "A-frame" signs have been permitted only in the Downtown Specific Plan (DTSP) area until July 2010. In anticipation of the July 2010 ban on sandwich board signs in the DTSP area, notices were sent to businesses that currently use the signs, informing them that the signs would not be allowed after July 3, 2010. Following receipt of the notices, staff received numerous calls from businesses. Additionally, at a recent Council meeting, some business owners spoke regarding the need for sandwich board signs to advertise their businesses. Staff reviewed how other local agencies handle sandwich board signs and found that the County of Santa Barbara, and the cities of Santa Barbara, Solvang and Goleta do not permit them, while the cities of San Luis Obispo, Buellton and Lompoc limit their use to specific areas. One other issue for the Council to consider is that Main Street and Broadway are State Highways. Caltrans staff provided information that any form of advertising within the right-of-way of these State Highways is strictly prohibited. Knowing that Caltrans would not approve signs within their right-of-way, City staff would not permit signs requested for these areas which would greatly limit use of sandwich board signs through the central core of the City. He indicated there were 980 commercial lots and 913 industrial/manufacturing lots in Santa Maria. He reviewed the options presented for Council's consideration.

Mayor Lavagnino asked about limiting sandwich board signs to the original four-square mile area.

Director Appel stated he would have to recalculate the number of lots in that area. There would still be businesses right outside the four-square mile area that would say "why them and not me."

Director Appel continued that bow/feather signs were another type of temporary sign which can be generally described as an animated sign supported by a pole that ranges in height from 6 to 10 feet tall. This type of sign was not considered when the sign ordinance was revised. Unfortunately, these signs are currently unregulated, which has resulted in some businesses displaying numerous signs on a single parcel. A review of other agencies shows that the signs are either not allowed or are restricted.

Director Appel provided a matrix of possible options for the Council to consider for each of the three signs discussed.

Mayor Lavagnino opened the discussion for public input.

Marvin Marlett, Christian Designs Bible Bookstore, stated he wanted to defend sandwich board signs; however, after seeing the presentation, it appeared they would not be able to have sandwich signs at their location. Each business needed the opportunity to advertise their business. It was of the utmost importance. He thought sandwich board signs should be allowed.

Roger Craig, Pacific Window Tint, stated as a small business owner in today's economy, it was very hard. He shrank his business from 4,000 square feet to 1,200 square feet and laid off six of his employees. Sandwich board signs pull people into his shop and constitutes 50 percent of his business. He talked about businesses that don't conform with the Sign Ordinance. He was working hard to keep his business in Santa Maria.

Jerry Knotts stated sandwich board signs were used because they worked. Since they pulled their signs down, they have lost the sale of about 300 burgers a week and Sunday business was down 50 percent. He drove around town and found signs all over town that were not being enforced. Allowing them only in the Downtown Specific Plan area gave those businesses a benefit that other businesses didn't have.

Sharon Knotts thanked the Santa Maria Times for the article they published. She said she contacted Caltrans and was told their sign was legal. The objectives of the Sign Ordinance appeared to be all about aesthetics, but signs were for businesses to advertise. It was about visual attraction. It was a really hard time for businesses right now. She suggested allowing the signs for 365 days a year and allowing one sandwich board sign and one flag sign for all businesses in the City.

Nancy Stewart stated she was on the Code Compliance Board and a long-time member of Santa Maria Beautiful. Santa Maria Beautiful brought the issue of signs up several years ago. Visitors driving down Main Street or Broadway would see sandwich board signs and butterfly signs and decide they did not want to stop here because it looked junky. Some sandwich signs block the sidewalk, some looked like a third grader drew them, and some were worn out and looked terrible. She urged the Council to uphold the ban on all sandwich board signs.

Ernest Armenta stated Santa Maria was a retail and service community. The local people carried the businesses in the City. He was totally opposed to standardized signs. He suggested the Council go with Option #2 or #3 on sandwich board signs. He thought feather signs were attractive. He wanted businesses to have equal opportunity to advertise.

Mayor Lavagnino indicated he would take each sign type separately.

Bow/Feather Sign Options

1. Clarify ordinance that signs are not permitted; 60 day grace period to remove;
2. Revise ordinance to allow one sign per commercial property, with same display time as temporary signs;
3. Same as #2, but 365 days per year;
4. Same as #3, but sign size is part of building's sign permit

Mayor Lavagnino stated he felt very strongly that Option 1 prohibiting these signs was the best option.

On motion by Councilmember Zacarías, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Zacarías, and Mayor Lavagnino
NOES: Councilmember Patino
ABSENT: None
ABSTAIN: None

Option #1 was approved.

Temporary Sign Options

1. No changes to the ordinance;
2. Extend to 60 consecutive days within a six-month time frame (allows up to four months of advertising/year);
3. Allow signs on vacant land

Councilmember Zacarías asked if the City Attorney was aware of a recent court case that said there could be no limits on political signs. She said it came up in San Luis Obispo. She asked the City Attorney to review it before the ordinance comes back to the Council.

City Attorney Trujillo explained he was not familiar with the case; however, the City did not have a political sign designation. All of the signs were temporary signs which was a big distinction. That was why the City did not run afoul of any constitutional issues because they did not base the signage requirements on the content of the sign. Any decision the Council made would be applied to all temporary signs, not just political signs.

Councilmember Patino asked for a definition of vacant land and if it would include land with a structure on it or strawberries.

Director Appel stated staff was intending it be vacant land with weeds, but it could be strawberry fields as well. Up to this point, it required a structure in order to have a temporary sign.

Councilmember Patino stated she did not see the purpose of having temporary signs up for 60 consecutive days. She suggested it be limited to 30 days before an event rather than 60 days in a six-month period.

Councilmember Zacarías stated she appreciated the options presented and would support Option #2 and #3 with the understanding that a vacant parcel was one with weeds.

On motion by Councilmember Zacarías, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Zacarías, and Mayor Lavagnino
NOES: Councilmember Patino
ABSENT: None
ABSTAIN: None

Options #2 and #3 were approved.

Councilmember Cordero asked about the signs people hold on street corners and in front of businesses.

Director Appel stated after reviewing the Sign Ordinance, he did not see anything related to signs held by people.

City Attorney Trujillo stated he would have to look into it, but he believed they were distinguished from other signs.

Sandwich Board Sign Options

1. Uphold ban on all sandwich board signs and resume enforcement;
2. Extend sunset for additional time within the Downtown Specific Plan area;
3. Extend sunset, expand area to all commercial/industrial properties;
4. Extend sunset, as in #2 or #3 and limit use to 60 days within a six-month time frame, as in Temporary Signs Option #2, require standardized sign format

Councilmember Zacarias stated it didn't take long to think of a City where you have been that there was a proliferation of signs. She was not convinced that the main objective of a Sign Ordinance was advertising of businesses. She was concerned about over saturation of signs and thought it would minimize the effect of each sign. She would like to see if there was a way to put up a monument sign for businesses like the Christian Bible Bookstore that were out of the visual path of motorists. She asked if the Caltrans limitations for Main Street and Broadway would be incorporated into the City's ordinance. She also asked about temporary signs in windows or painted on windows and asked if they were regulated.

Mayor Lavagnino stated he would consider looking at monument signs, but by the time that was finished some of the businesses would be gone. Times were tough right now for businesses. The Council needed to help those businesses. He was not crazy about sandwich board signs. He suggested the sunset clause be extended, and it be extended to all commercial businesses in Santa Maria for a specific period of time until the economy improves or signs become oversaturated.

Councilmember Patino stated she did not have a problem with sandwich board signs. When people were in business they needed to advertise, and she did not want to tell businesses how to advertise. She thought the Council needed to support the local businesses. She asked about Main Street and Broadway and where the right-of-way was. The Council needed to be business friendly. She also asked how it could be enforced.

Senior Code Compliance Officer Moreno stated if the Council decided that Code Enforcement should enforce the Code, that was what they would do. Right now it was reactively based on complaints.

Councilmember Patino stated she didn't know if they needed to be standardized, but they had to look good.

Councilmember Cordero stated aesthetics and fairness to businesses were important, but to him the most important thing was safety. Safety was a more important factor. As people were driving down the roadways, he didn't want them looking at signs. An excessive amount of signage would take away from the safety of the driver. Having people in scooters or wheelchairs try to navigate around those signs was dangerous. Some of them actually leave the sidewalk and go into the roadway to avoid obstacles on the sidewalk.

Councilmember Orach stated there were a lot of concerns. He has observed clutter of sandwich board signs that were left out all the time, were in disrepair, and obstructing sidewalks. The obstruction of the sidewalk was unconscionable. He suggested limiting the number of sandwich board signs, limit the size, and require them to be in good repair. He would be inclined to say that if the sign could be legally put on a businesses property and not impede traffic or movement of people, he would agree to allow them. He would like to reduce the sunset clause to something less then two years.

City Manager Ness suggested, after hearing the Council's comments, that Option #3 might be the best option with a sunset of two more years, allowed in all commercial areas, limited to one sign per business, limit the size, require a five-foot clearance around all signs, not allow them in the right-of-way, and decide whether or not the signs could be located within the 20 feet from the front entrance of the business.

Director Appel also suggested that the signs be reviewed by Community Development staff and only be out when the business was open.

Councilmember Patino moved to approve Option #3 as suggested by City Manager Ness. Councilmember Orach seconded the motion. The motion failed on the following vote:

AYES: Councilmember Patino and Mayor Lavagnino
NOES: Councilmembers Cordero, Orach, and Zacarías
ABSENT: None
ABSTAIN: None

Councilmember Zacarias stated she would support Option #2 to extend the ban for another year. If the Council wanted to defer this discussion and have time to really access this, it couldn't be done this quickly. It was a lot more complex.

Councilmember Patino asked if Councilmember Zacarías wanted to bring this back for discussion at a later time.

Councilmember Zacarías stated she felt it required more time. She was willing to support the idea of continuing the status quo for another year and see how other issues could be brought to bare, such as the relationship with the Caltrans issue, the impact of allowing them throughout the whole City, what kind of businesses would take advantage of this, and should there be uniformity. She would like to see Santa Maria Valley Beautiful, the Chamber of Commerce and businesses involved.

On motion by Councilmember Zacarias, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmember Cordero, Orach, Patino, and Zacarias
NOES: Mayor Lavagnino
ABSENT: None
ABSTAIN: None

Option #2 was approved extending the sunset for an additional one-year period for the Downtown Specific Plan area.

City Manager Ness stated there one point of clarification on the bow/feather signs he wanted to make. He explained that the 60 days to remove the signs would start following the effective date of the ordinance.

CITY MANAGER'S REPORT
City Manager Ness reported on items anticipated for the September 7, 2010, City Council meeting including the Good Neighbor Ordinance second reading, Fourth Quarter Financial Report, allocation of additional 2009-10 CDBG Program Income funds, a status report on the Neighborhood Stabilization Program, and a proclamation for Peace Week.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Orach reported the All-America City Committee was working diligently on the neighborhood empowerment program with the Gunner Street group.

Councilmember Zacarías reported she did an interview on KUHL radio, attended the Future Leaders of America banquet, spoke at the Annual Regional Migrant Parent Education Conference, and attended the Santa Maria Valley Chamber of Commerce Installation Dinner.

Mayor Lavagnino reported he attended the National Arts Program awards ceremony, met with Colonel Richard Boltz at VAFB, attended the Chamber Installation Dinner, the YMCA Family Day in the Park, and the Santa Maria Rotary Club meeting where he read a proclamation to welcome the District Governor of Rotary.

Councilmember Patino reported she attended La Fiesta in Santa Barbara, the Historical Society reception, and Showtime at PCPA.

Councilmember Cordero reported he attended a meeting with People's Self-Help Housing, a People for Non-Violence meeting, a recognition dinner at First Baptist

Church, the All-America City Committee meeting, the Chamber Installation Dinner, a Boys and Girls Club meeting, and again met with Oaxacan people at Marian Medical Center.

CLOSED SESSION
The City Council recessed to a Closed Session at 9:30 p.m. to discuss Conference with Legal Counsel - regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss General Development Company v. City of Santa Maria, Case No. 13220579, and Gregory Carroll v. City of Santa Maria, et. al., Case No. CV 0907336. Conference with Labor Negotiators pursuant to Government Code Section 54957.6, Agency Representative – Assistant City Manager; Employee Organizations - Santa Maria Police Officers Assoc. (SMPOA); Service Employees International Union (SEIU) Local 620; Fire Fighters Local 2020; Public Safety Managers; and Non-Represented Management and Confidential Employees.

After the Closed Session, the following report was given:

Conference with Legal Counsel - General Development Company v. City of Santa Maria (Case No. 13220579) – A status report was given.

Conference with Legal Counsel – Gregory Carroll v. City of Santa Maria (Case No. 0907336) – Direction to staff was given.

Conference with Labor Negotiator - Santa Maria Police Officers Assoc. (SMPOA); Service Employees Inter-national Union (SEIU) Local 620; Fire Fighters Local 2020; Public Safety Managers; and Non-Represented Management and Confidential Employees – Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 10:35 p.m. by Mayor Lavagnino.

APPROVED

September 7, 2010
Date

Patricia A. Peterson
Chief Deputy City Clerk and ex officio Clerk of the City Council

ATTEST

Patricia A. Peterson
Chief Deputy City Clerk

S. S. Lavagnino
Mayor of the City of Santa Maria